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CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTAUNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

19-cv-2581-MB/DTS

Khalil Billups

Adam B. Hageman

VS.

MINNESOTA DEPARTMENT OF CORRECTIONS

LT. J. Rykken Warden Eddie Miles

LT. Engeldinger

LT. Baird

SGT. G. Brausen

Officer. Fleck

Officer. B. Hudak

Officer. Matthew Kotaska

Officer. Tyler Haugen

Officer. Christopher Fadling

Officer. Zachariah Frank

Officer. J. Elmore

Officer. J. Lehner

Officer. Andersen

Officer. Zencius

Officer. S. Mielke

AWO Carol Krippner

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JUN 19 2020

CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

SCANNED

SEP 24 2019

U.S. DISTRICT COURT MPLS

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

UNDER 42 U.S.C. § 1983

SCANNED

JUN 19 2020

U.S. DISTRICT COURT MPLS

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing

with the same facts involved: No

Page 1A

1. On Wednesday August twenty eighth, two thousand and Nineteen the Plaintiff Khalil Billups was incarcerated IN Minnesota Correctional Facility - St. Cloud, located at 2305 Minnesota Blvd St. Cloud, MN, 56304.
2. On Thursday August Twenty ninth, two thousand and Nineteen the Plaintiff Adam Hageman was incarcerated in Minnesota Correctional Facility - St. Cloud, located at 2305 Minnesota Blvd St. Cloud, MN, 56304
3. Adam Hageman arrived at A Minnesota Correctional Facility In St. Cloud with two Bibles. One being a Good News Bible with Deuterocanonicals/Apocrypha, and the other being A International Holy Bible that was Given to him by his Grand Mother who is no longer with us, on December Twenty Seventh two thousand and three.
4. The Plaintiff Adam Hageman sent A request to the Chaplain William Dornbush for a Large Print Bible.
5. Chaplain William Dornbush gave Mr. Hageman a Large Print NIV 'New International Readers Version'
6. The Plaintiff Mr. Hageman was assigned to Unit E, Gallery 38 Cell 710 on the twenty ninth of August two thousand Nineteen.
7. Adam Hageman was assigned the Offender Identification Number 251041

7. The Plaintiff Khalil Billups was assigned to Segregation unit/overflow status on August twenty eighth two thousand and nineteen.

a) The Plaintiff Mr. Billups was assigned the offender Identification number 260067.

8. On August fifth, two thousand and nineteen the Plaintiff Mr. Billups was assigned to unit E, Gallery 38, cell 710.

9. On Friday August sixth, two thousand and nineteen the Plaintiff Mr. Hareman gave the Plaintiff Mr. Billups his New International Reader Version Bible and encouraged him to study it religiously.

10. On the following day of September seventh, eighth, ninth and September tenth Mr. Hareman spent many hours reading, discussing and comparing Scripture's between the different versions of their Bible with Mr. Billups.

a) The Plaintiff's made a habit of Bible study several times a day.

11. On Tuesday August tenth, Mr. Billups was transferred from Health Services and placed in Segregation unit in cell 493. 'Exhibit-B'

12. The Plaintiff Mr. Billups received a Minnesota Correctional Facility Segregation Room Pickup form. 'Exhibit J'

a) Mr. Billups requested his Address book, envelope and Holy Bible on Tuesday September tenth, two thousand and nineteen. Mr. Billups gave a brief description of where said items were located.

b) Mr. Billups said 'The envelope are in the Bible, The Bible is located in the day area of cell 710 in unit E.

13. The Plaintiff Mr. Hageman was Placed on Administrative Segregation for Protection from other offenders by LT. Engeldinger on September Sixteenth, two thousand and nineteen.

14. On September Sixteenth two thousand and nineteen at 19:30 hours, The Plaintiff Mr. Hageman was studying his Holy Bible quietly in cell 710 located in unit E at Minnesota Correctional Facility - St. Cloud.

15. Mr. Hageman was forcibly removed from his bunk by several defendants/correctional officer's during his routine Bible study for Monday September Sixteenth two thousand and nineteen.

a) Mr. Hageman was forcibly removed from his Good New Bible while reading Matthew in The New Testament.

b.) The Plaintiff Mr. Hageman made several request at that time to be allowed to maintain possession of his Holy Good News Bible With Deuterocanonicals/Apocrypha and maintain possession of time sensitive legal mail containing appellate documents.

c.) Adam Hageman advised five correctional officers engaged in the performance of a duty imposed by law that his constitutional and civil rights were being violated at that time.

NOTE:

The Plaintiff, Mr. Adam Hageman was very familiar with his constitutional rights, and civil rights and Minnesota state law.

16. Five correctional employee's removed Mr. hageman from cell 710 on gallery 38 and assaulted him by lifting by the handcuffs chain inflicting demonstrable bodily harm in the process of moving/escorting the Plaintiff from Unit E to the Segregation unit as an act of retaliation and religious discrimination.

17. The Plaintiff Mr. hageman was strip searched in Segregation cell number 406, In front of a female officer and five male officers including LT. Engeldinger.

18. Mr. Hageman was very upset and he continued to ask for his Bibles and requested that LT. Engeldinger place his legal mail in the mail room.

19. The Plaintiff Mr. Hageman was then relocated to cell 413 in the Segregation unit. He talked with officer B. Hudek and expressed his concerns once again that his constitutional and civil rights had been violated and he completed two forms for officer J. Elmore and SGT. Shwenke outlining the facts.

20. A short time later a nurse arrived at cell 413, Mr. Hageman advised her of his injuries. The nurse recorded the trauma to Mr. Hageman's wrists, she expressed her concerns for the Plaintiff's right hand wrist and a cut on his right thumb.

a) The officer's fractured Mr. Adam Hageman's right wrist when they used unreasonable force against the Plaintiff

b) The officer's cut the Plaintiff Adam Hageman's thumb and index finger on his right hand when they used unreasonable force against the Plaintiff.

c) Mr. Hageman asked the nurse to take photographs of his injuries.

21. On Monday September Sixteenth two thousand and nineteen at approx. 21:00 Hrs Nurse Anderson arrived at cell 413 with Medication for Pain relief and a Splint cast for the Plaintiff Mr. Adam Hageman.

a) Mr. Hageman asked Nurse Anderson to Please to take Photographs of his injuries and explained to her about the unsafe conditions in Segregation, Specifically in cell 413 were there was an unknown offenders blood all over the wall, floor and in the sink.

22. At approx. 07:30 Hrs Dr. Heather Win arrived at cell 413 in the Segregation unit, Mr. Hageman explained to her the violent assault the officer's subjected him to on the Previous day.

a) The Plaintiff Mr. Hageman remarked to Heather about how the Correctional Officer's engaged in breaking, Adam Hageman right wrist, cutting his thumb, four finger, and wrist while engaged in the Performance of a duty imposed by law.

b) Mr. Hageman reported the unsafe conditions in the Segregation unit, Specifically in cell 413 were there was an unknown offender's blood all over the wall, floor and in sink. She said "I will inform the housing SGT and have them move you."

23. A female Correctional officer delivered Mr. Billups's New International Reader's Version NIAV Free on the Inside Large Print Bible to him in cell 493 in the Segregation unit.

24. The Plaintiff Mr. Hageman was called to speak with the LT. on duty in the Segregation unit.

a) Mr. Hageman was shackled and hand cuffed the he was chain and pad locked to the wall while he explained the situation the LT. officer. the Plaintiff was informed there would be no violation report and that he would be released back into General Population.

b) Adam Hageman expressed his concern about how his Constitutional and Civil rights being violated by the Prison Staff, The unjustified abuse, mistreatment and oppression. The assault was extreme and outrageous.

24. The LT. explained to Mr. Hageman he would need to contact AWO C. Kipperes. The Plaintiff ask the LT to please write the information down for him because his wrist was broken and he was unable to write. The LT. wrote on Exhibit F for the Plaintiff.

25. The Plaintiff was unchain from the wall by another officer and escorted back to cell 413 by several officer's.

26. Mr. Hageman was approached by Three Correctional officers of which only one was Identified as M. Hanson. The officer's handcuffed and Shackled the Plaintiff on his right wrist and above his left wrist/fore arm, above the Splint cast.
27. Correctional officer M. Hanson and another unidentified officer escorted Mr. Hageman to health services to be seen by a doctor. The doctor examined Mr. Hageman and documented the cuts on the Plaintiff's thumb and fore finger. The doctor examined and compared his broken wrist and hand/finger of both his left and right hands and wrist and ordered X-Rays to be taken of the Victims fractured/broken bones. The examination was then concluded. ^{Exhibit L} Mr. Hageman was examined by Nurse Pramler
28. The Plaintiff Mr. Hageman was then escorted down to the health services hallway and into the waiting area by two correctional officers. Mr. Hageman was then Greeted by an inmate he knew, A Mr. Michael Warren, From 2414 3rd Ave North Apt #8 Moorhead, Minnesota 56560. Telephone # (701) 210.2116
OID# 254865.
- a) Mr. Warren noticed that Mr. Hageman was in a Cast/Splint and heavily Shackled for no apparent reason and asked the Plaintiff "What was Going on?"
29. Mr. Hageman was Placed back in the Segregation unit to the Plaintiff's surprise.

30. On Wednesday September eighteenth the LT arrived in the Segregation Unit, Cell 413 and awoke Mr. Hageman at approx. 07:00hrs and explained to him he was sorry and that he would be moved immediately back to Unit E Cell 710 and to address LT. Engeldinger about his Constitutional, Civil Rights and injury concerns.

31. The Plaintiff returned to his rightfull area and then to cell 710 to find Mr. Billups very happy to see him. He thanked Mr. Hageman for making sure his Bible was sent to him in the Segregation Unit. Mr. Billups wanted to know what happen to Mr. Hagemans arm.

32. Mr. Hageman told Mr. Billups what had happen to him and how he was assaulted by the officers. Adam continued the conversation by explaining how he NEVER recieved his Bible and how his Religion required the Study of Wisdom, The Prayer of Manasseh, The two books of Esdra, The two Great accounts of God's Faithfulness in the book of Maccabees, Susanna, The Prayer of Azaria and the Three Young Men, and Mr. Adam Hageman favorite, The Wisdom of Jesus, in Sirach.

- a) Mr. Hageman filled out several Property Pick up forms while in Segregation requesting his Bible.
- b) Mr. Hageman realized he was Placed in Segregation for an unjustified amount of time.
- c) Mr. Hageman was in extreme Pain.
- d) Mr. Hageman had been retaliated against and Religiously discriminated against.

33. Mr. Billups explained to Mr. Hageman during their conversation how he felt he had also been discriminated against because he had No Bible for at least four or five days or more.

34. The Plaintiff's dignitary interests in their Constitutional and Civil Rights were intruded upon and violated.

35. The conduct as set forth above was intentional and reckless, extreme and Outrageous causing the Plaintiffs to experience severe emotional distress that no reasonable Person could be expected to endure.

a) The Defendants conspired to oppress, persecute, abuse, repress, mistreat, Religiously discriminate, Coerce, threaten and intimidate the Plaintiffs.

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Name Ramler **Exhibit L** OID# WT T P R SPO2

B/P R L Arm Signature Date/Time

B) Moreover, Minnesota Department of Corrections officers intend to influence the Policy of a Government by intimidation and coercion.

C) Mr. Billups had been discriminated and religiously discriminated against.

36. Mr. Hagerman and Mr. Billups both wrote letters to the Minnesota Department of Correction Inspection and Enforcement Unit at 1450 Energy Park Drive Suite 200 in St. Paul Minnesota 55108. Exhibit A

37. Mr. Hagerman wrote a request to LT. Engeldinger and AWO C. Kipperer expressing his concerns of abuse, violation of his Constitutional and Civil Rights ect.

38. Both Plaintiffs sent request for Federal Civil Lawsuit Packets on September eighteenth.

39. The Plaintiff Mr. Billups wrote a request to LT. Engeldinger on September eighteenth.

40. The Plaintiff Adam Hagerman wrote a request to his case worker Jason Skurra on September eighteenth.

NOTE:

Plaintiff Mr. Hagerman learned that one of the nurses he asked to photograph his injuries name is Mrs. Pipplanger

Nurse Exhibit M
Fussy
9/20/19
3 bu 200mg

41. The Plaintiff Mr. Hageman made several request to see the Doctor once again as the medication he receives for Pain in his broken wrist was not sufficient in managing his extreme and tormenting Pain and also the medication upset his stomach severely, the nurse explained to him that the Doctor would 'follow up' with him soon.

FACTS

1. The nurse/Doctor NEVER followed up or addressed Mr. Hageman concerns after September eighteenth two thousand and nineteen

2. The Plaintiff Mr. Hageman continued to suffer from his injuries. the Pain was terrible, excruciating and unbearable due to improper Pain management medication. Exhibit M

3. NO Pictures of Mr. Hageman injuries were Ever taken by Nurses, Doctors, or D.O.C Staff after Mr. Hageman requested over a dozen times to various officers and health services providers.

4. Department of corrections Prison staff are employees of The United States of America.

5. Said officers actions were aggressive, erratic, illegal and Excessive. the officers action were harmful and intimidating to Mr. Hageman.

CIVIL RIGHTS VIOLATIONS AND CONSTITUTIONAL RIGHTS VIOLATIONS BY MINNESOTA DEPARTMENT OF CORRECTIONAL OFFICERS

Plaintiff's realleges and incorporates herein, the allegations set forth in Paragraphs 1-41 by the above-described actions; the unlawful deprivation of Adam Hageman and Khaki Billups Bibles, the conduct of the Defendant's as set-forth above was extreme and outrageous. Plaintiff's dignitary interests in their Constitutional and Civil rights and integrity were intruded upon and violated.

The conduct of The Minnesota Department of Corrections, Correctional Officer's as set-forth above was intentional and reckless causing the Plaintiff's to experience severe emotional distress that no reasonable person could be expected to endure.

a) The Defendant The Minnesota Department of Corrections and Correctional Officers conspired to oppress, persecute, abuse, repress, and suppress, mistreat, intimidated and coerced the Plaintiff's.

b) Moreover; Minnesota Department of Corrections, and Correctional officers Intended to influence the Policy of a government by intimidation and coercion and furthermore intimidated and coerced Mr. Hageman and Mr. Billups.

(I.E. Defendant's became angry and hostile with Plaintiff's. Defendants also refused to permit the Plaintiff's to speak without fear of sanctions.)

42. The Plaintiff Mr. Hageman was Never served a copy of a conduct report, rule violation, or violation report.

Wolff v. McDonald

a) Mr. Hageman was never served a notice of his due process hearing rights and/or notice of a hearing date.

Wolff v. McDonald

b) The Plaintiff Mr. Adam Hageman was locked in Punitive Solitary confinement for Three (3) consecutive days.

c) Plaintiff Adam Hageman was never served any formal paperwork describing the reason he was placed in Segregation from 9-16-19 to 9-18-19. Wolff v. McDonald

NOTE: Receiving no paperwork what-so-ever regarding formal due process is a manifest of injustice and not the process due.

43. Summary: The Minnesota Department of Corrections, ST. Cloud Correctional Facility Administration and Correctional officers combined, agreed and conspired against the Plaintiff's. These individuals involved themselves in a sinister conspiracy. Upon information and belief, at the time of the incident referenced in this complaint all correctional officers

were employed by The Minnesota Department of Corrections, who at all times acted under color of state and federal law. That the actions of said officers were malicious and not the actions of reasonably well-trained officers. Said actions violated the Plaintiff's right to be free from discriminatory official treatment, religious discrimination, and violated Mr. Hageman Substantive due Process rights under the U.S. Constitution in violation of 42 U.S.C. Section 1983. Further U.S.C.S. 2331 Section. 5(I+II) (5) -

Minnesota Department of Corrections employees/ Correctional officers oppressed, threatened and intimidated Mr. Hageman.

Furthermore the defendants all conspired against the Plaintiff's Mr. Billups and Mr. Hageman's Minnesota Constitutional Right. Article 1 Sec. 16. "The right of every man to worship God according to the dictates of his own conscience shall NEVER be infringed."

Mr. Hageman's and Mr. Billups's right to Christianity, their Religion of choice was compromised, abridged and disrespected by officers of The Minnesota Department of Corrections. The officers mentioned herein have also violated the Plaintiff's 1st Amendment to The United States of America's Constitution. "Congress shall make no law respecting an establishment of Religion; or prohibiting the free exercise thereof (Freedom of Religion)

Or abridging the Freedom of Speech, or of the Press, or the right of the People Peaceable to assemble, and to Petition the Government for a redress, of Grievances."

The Defendant's Violated the Plaintiff's Constitutional and Civil Rights as defined by U.S.C.S. 1983.

Furthermore, All of the officers Violated Policy and conspired against Mr. Billups and Mr. Hageman. All of the officers are employees of the United States of America and committed the following crimes according to the Plaintiff's:

It shall not constitute any defense or ground of suspension of judgement.

To keep this brief; Several employees of The United States of America Plotted a variety of unjust, ungedly, and illegal activities during the time outlined in this Complaint.

The simultaneous retaliation over Mr. Hageman and Mr. Billups wishes and Constitutional Right to their Bibles resulted in many negative damages both Past and future to the Plaintiff's. All of the threats, the disrespect and disregard for Mr. Hageman's suffer, the coercion, intimidation, and disrespect by The Minnesota Department of Corrections, Correctional officers acted as a group to Plan in secret from other officers and the Plaintiff's an unspeakable crime.

44. On Friday September twentieth two thousand and nineteen Mr. Billups and Mr. Hageman were called to an office inside MCF ST. Cloud to see SGT. G. Brausen to have Sec V. relief Section document of this complaint notarized. SGT. G. Brausen refused to notarize said complaint relief form. Mr. Billups also a letter to The Minnesota Department of Corrections to be notarized and she also refused. Mr. Hageman had an Application to Proceed In District Court Without Prepaying Fees or Costs, a United States official Federal document to be included with the Complaint to be notarized. SGT. G. Brausen refused to sign and notarize this document also.

45. Mr. Hageman remarked This type of conspiracy can not go unpunished and will not be concealed from the Public.

Summary Continued

The bottom line is that Mr. Hageman and Mr. Billot's are very agreeable, respectable and religious men. Officers and employees of the United States of America are under obligation to uphold and respect the citizens rights granted to them by our Constitution. Sadly certain officer within The Minnesota Department of Corrections are discriminatory and are performing lawless, revolting, frightful and quite frankly shocking behavior. The offenses affect deeply the law of not only the Great State of Minnesota and the Constitution; They are lese majesty. The Plaintiff's, The victim Adam Robert Hageman and is hereby requesting relief.

VICARIOUS LIABILITY

Defendant Minnesota Department of Corrections is liable for the tortious, and negligent, and unlawful conduct all of which is described in this Complaint.

As a direct and proximate result of the tortious, negligent, and all other unlawful conduct committed by the Defendants while acting within the course and scope of employment and respectively are Minnesota Department of Corrections officers who at all times were under color of State of law, and therefore employees of The United States of America, Defendant Minnesota Department of Corrections is liable for the injuries and damages sustained by Plaintiff's alleged by Plaintiff's as set forth in this Complaint herein.

V. REQUEST FOR RELIEF

We Pray to The Court to award Judgment in favor of the Plaintiff's in the Amount of Fourteen Point Eight Million and No Hundredths dollars (\$14,800,000.00). Together With Attorneys fees under 42 U.S.C. 1983; Damages for lost/reduced future earning capacity, and future Health care expenses, future Pain, future disability, Past emotional distress, future emotional distress and ALL and ALL future or Past damages.

We hereby certify under Penalty of Perjury that the above complaint is true to the best of our information, knowledge, and belief.

Signed Monday this twenty-third day of September two thousand and Nineteen.

Signatures of Plaintiffs


Adam Hageman Pro-Se

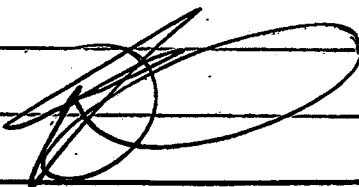
Khalil Billups

Khalil Billups Pro-Se

We the Plaintiff's Khalil Billups and Adam Hageman are entitled to A trial by Jury; Under Rule 38(b) of the Federal Rules of Civil Procedure.

OUR COMPLAINT outlines our demand for relief.

We are PRO SE litigants, We have made every effort to state our case in clear, concise terms Per Rules 8 and 10 of the Federal Rules of Civil Procedure.



Adam Hageman

Khalil Billups
Khalil Billups

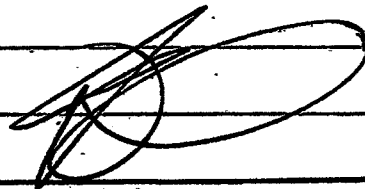
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We hereby certify under Penalty of Perjury that the above complaint is true to the best of our information,

We the Plaintiff's Khalil Billups and Adam Hageman are entitled to A trial by Jury; Under Rule 38(b) of the Federal Rules of Civil Procedure.

OUR COMPLAINT outlines our demand for relief. We are PRO SE litigants, we have made every effort to state our case in clear, concise terms Per Rules 8 and 10 of the Federal Rules of Civil Procedure.



Adam Hageman

Khalil Billups
Khalil Billups

MINNESOTA NOTARY ACKNOWLEDGMENT

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THE STATE OF MINNESOTA

SEP 24 2019

COUNTY OF Sherburne

CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

This instrument was acknowledged before me on 09/23/2019 (date)

by Khalil Billups (name of signatory).

Khalil Billups

Notary Public Signature

Print Gwen Brausen

Gwen Brausen

Title correction officer

My commission expires: 09/23/2019

Acting in the County of Sherburne



(Seal)

MINNESOTA NOTARY ACKNOWLEDGMENT

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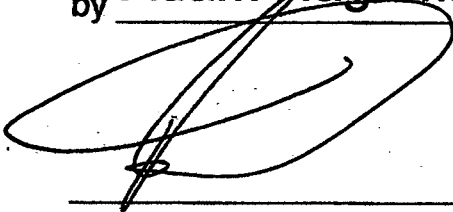
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COUNTY OF Sherburne

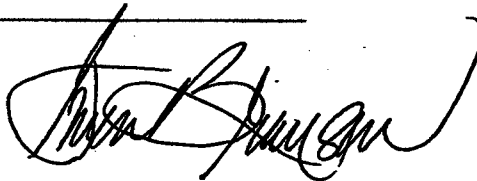
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MINNEAPOLIS, MINNESOTA

This instrument was acknowledged before me on 09/23/2019 (date)

by Adam Hageman (name of signatory).



Notary Public Signature



Print Gwen Brausen

Title correction officer

My commission expires: 09/23/2019

Acting in the County of Sherburne



(Seal)